

**CLOSED**

DATE: 2/13/08 CASE NUMBER: 08-15257M-SD

USA vs. Cipriano Canseco-Antonio

U.S. MAGISTRATE JUDGE: JAY R. IRWIN #: 70BK

A.U.S. Attorney \_\_\_\_\_ INTERPRETER Marcia Resler  
LANGUAGE Spanish

Attorney for Defendant Matthew Johnson (AFPD)

MATERIAL WITNESS(es): \_\_\_\_\_

MATERIAL WITNESS(es) state true name(s) to be: \_\_\_\_\_

Attorney for Material Witness(es): \_\_\_\_\_

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☒ CUSTODY

DOA 2/11/08 ☒ Initial Appearance ☒ Appointment of counsel hearing held  
☐ Financial Afdvt taken ☐ Defendant Sworn ☐ Financial Afdvt sealed  
☐ Rule 5(c)(3) ☐ Defendant states true name to be \_\_\_\_\_. Further proceedings ORDERED  
in Defendant's true name.

**DETENTION HEARING:**

☐ Held ☐ Con't ☐ Submitted ☐ Reset

Set for:

Before:

☐ Defendant ordered temporarily detained in the custody of the United States Marshal

☐ Defendant ordered released \_\_\_\_\_

☐ Defendant continued detained pending trial

☐ Flight risk ☐ Danger

**IDENTITY HEARING:**

☐ Held ☐ Con't ☐ Submitted ☐ Reset

☐ Waived

Set for:

Before:

☐ Warrant of removal issued.

**PRELIMINARY HEARING:**

☐ Held ☐ Con't ☐ Submitted ☐ Reset

☐ Waived

Set for:

Before:

☐ Probable cause found ☐ Dismissed

☐ Held to answer before District Court

**STATUS HEARING: re: \_\_\_\_\_**

☐ Held ☐ Con't ☐ Reset

Set for:

Before:

Other: The defendant's native language is Zapoteco and could not comprehend proceeding. Government moves for a dismissal of complaint. Defense has no objection. Court grants motion and dismisses case without prejudice. Case is closed.

Recorded by Courtsmart  
BY: Angela J. Tuohy  
Deputy Clerk

# United States District Court

## SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Cipriano CANSECO-Antonio  
Citizen of Mexico  
YOB: 1980  
A88 764 071  
Illegal Alien

CRIMINAL COMPLAINT

CASE NUMBER: 08-15257M-SD


I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

### COUNT I

That on or about February 11, 2008, near Andrade, California in the Southern District of California, Defendant Cipriano CANSECO-Antonio, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof. ☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

  
Signature of Complainant

Alfredo Prieto

Senior Patrol Agent

February 13, 2008

Date

at

Yuma, Arizona

City and State

Jay R. Irwin, U.S. Magistrate

Name & Title of Judicial Officer

Signature of Judicial Officer

STATEMENT OF FACTUAL BASIS

Defendant: Cipriano CANSECO-Antonio

Dependents: 4 Mexican

**IMMIGRATION HISTORY:** The Defendant is an illegal alien.

**CRIMINAL HISTORY:** **NONE FOUND.**

Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Andrade, California.

The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

**The Defendant is being presented for prosecution proceedings under "Operation Streamline." The Defendant entered the United States from Mexico through a designated "zero tolerance zone."**

The Defendant last entered the United States illegally without inspection near Andrade, California on February 11, 2008.


Charges: 8 USC§1325

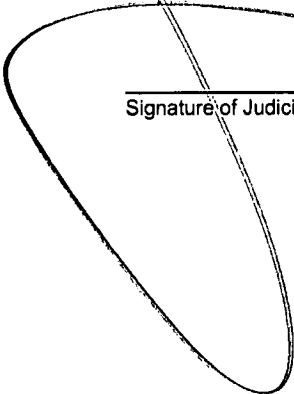
(Misdemeanor)

Sworn to before me and subscribed in my presence,

February 13, 2008

Date

  
Signature of Complainant

  
Signature of Judicial Officer